

JUL-22-2000 19:52

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P.03/06

**STATEMENT CLAIMING SMALL ENTITY STATUS  
(37 CFR 1.9(F) & 1.27(C))—SMALL BUSINESS CONCERN****DOCKET NUMBER  
M3 990719**

Applicant, Patentee, or Identifier: **Cohen et al**  
Application or Patent No.:  
Filed or Issued:  
Title: **NETWORK SIMULATION**

I hereby state that I am  
☐ the owner of the small business concern identified below:  
☐ an official of the small business concern empowered to act on behalf of the concern identified below:

**OPNET Technologies**  
**3400 International Dr., NW, Washington, DC ,**

I hereby state that the above identified small business concern qualifies as a small business concern as defined in 13 CFR Part 121 for purposes of paying reduced fees to the United States Patent and Trademark Office, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time, or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby state that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention described in:

☒ the specification filed herewith with title as listed above. ☐ the application identified above.  
☐ the patent identified above,

If the rights held by the above identified small business concern are not exclusive, each individual, concern, or organization having rights in the invention must file separate statements as to their status as small entities, and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d), or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern, or organization having any rights in the invention is listed below:  
☒ no such person, concern, or organization exists.  
☐ each such person, concern, or organization is listed below.

Separate statements are required from each named person, concern or organization having rights to the invention stating their status as small entities. (37 CFR 1.27)

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

NAME OF PERSON SIGNING **Cohen, Alain**

TITLE OF PERSON IF OTHER THAN OWNER:

ADDRESS OF PERSON SIGNING **3101 New Mexico Ave., NW, Apt. 810, Washington,, DC, 20016**

SIGNATURE 

DATE

*July 22, 2000*

SEND TO: ASSISTANT COMMISSIONER FOR PATENTS, WASHINGTON, DC 20231

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202 364 8554 P.04/05

# DECLARATION FOR UTILITY OR DESIGN PATENT APPLICATION (37 CFR 1.63)

- ☒ Declaration Submitted with Initial Filing, OR  
☐ Declaration Submitted after Initial Filing  
(surcharge (37 CFR 1.16 (e)) required).

Attorney Docket Number **M3 990719**  
First Named Inventor **Cohen et al**  
**COMPLETE IF KNOWN**  
Application Number  
Filing Date  
Group Art Unit  
Examiner Name

JC542 U.S. PTO  
09/624092  
07/24/00

As a below named inventor, I hereby declare that:

My residence, post office address, and citizenship are as stated below next to my name.  
I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

## NETWORK SIMULATION

the specification of which:

- ☒ is attached hereto; ☐ was filed on \_\_\_\_\_ as U.S. Application Number \_\_\_\_\_

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above. I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56.

As a named inventor, I hereby appoint the following registered practitioner(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

**Robert M. McDermott Reg. 41,508**

- ☐ Additional registered practitioner(s) named on supplemental Registered Practitioner Information sheet attached hereto.

Direct all correspondence to:

**Robert M. McDermott, Esq.**  
**16 Samuelson Road**  
**Weston, CT 06883**

**23662**

PATENT TRADEMARK OFFICE

Telephone: 203-544-8889 Facsimile: 520-396-8923

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Name of Sole or First Inventor:

Given Name (first and middle (if any))

**Alain**

- ☐ A petition has been filed for this unsigned inventor.

Family Name or Surname

**Cohen**

Inventor's Signature

Residence City: **Washington,**

State: **DC**

Country: **USA**

Post Office Address

**3101 New Mexico Ave., NW, Apt. 810**

City: **Washington,**

State: **DC**

ZIP: **20016**

Date

Citizenship: **USA**

Country: **USA**

[X] Additional inventors are being named on the supplemental Additional Inventor sheet attached herein.

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P.05/06

**DECLARATION  
FOR UTILITY OR DESIGN  
PATENT APPLICATION  
(37 CFR 1.63)**

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☐ Declaration Submitted after Initial Filing  
(surcharge (37 CFR 1.16 (e)) required).

Attorney Docket Number **M3 990719**  
First Named Inventor **Cohen et al**  
**COMPLETE IF KNOWN**  
Application Number  
Filing Date  
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JCS42 U.S. PTO  
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**NETWORK SIMULATION**

the specification of which:

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**16 Samuelson Road**  
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**Name of Sole or First Inventor:**

- ☐ A petition has been filed for this unsigned inventor.

Given Name (first and middle [if any])

Family Name or Surname

**Alain**

**Cohen**

**Inventor's Signature**

Residence

City: **Washington,**

State: **DC**

Country: **USA**

Post Office Address

**3101 New Mexico Ave., NW, Apt. 810**

City: **Washington,**

State: **DC**

ZIP: **20016**

Country: **USA**

**Date**

**07/22/00**

- ☒ Additional inventors are being named on the supplemental Additional Inventor sheet attached herein.

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